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**REMARKS**

Upon the entering of this Amendment, claims 7-11 and 13-17 will be amended and claims 1-6, 12 and 18-25 will be cancelled. Claims 7-11 and 13-17 will be pending in the application.

Regarding the Office Action's rejection of claims 1, 3-11, 13-17 and 25 under 35 U.S.C. 103(a) as allegedly being unpatentable over Frankel (U.S. Patent No. 5,968,587), Applicants respectfully disagree with this rejection. However, in an effort to expedite the prosecution of the present application, Applicants have amended each of the pending independent claims and submit the following. As set forth, for example, in paragraphs 0043 to 0047 of Applicants' specification, the present cap oxide layer, when formed and used in accordance with the present invention as described and claimed in the present application, substantially mitigates the formation of defects. More particularly, the cap oxide layer substantially mitigates contact of ambient moisture with the migrated phosphorus atoms, so that reactions between the ambient moisture and migrated phosphorus atoms, and consequent formation of defects in the glass layer, are substantially mitigated.

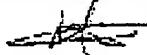
The present invention as recited in each of the independent claims is directed to the ability to form the glass and cap oxide layers upon the substrate without having to break the chamber of the chemical vapor deposition reactor, which implementation has several substantial advantages. For example, breaking the chamber between processes can be an undesirably time consuming and costly process. The Frankel reference does not teach the process. Furthermore, the present invention discloses implementing the cap oxide layer process at a temperature of approximately 350 C, which is lower than the prior art process temperature. The lower temperature cap oxide process can improve WPH and film quality, which benefits the Frankel reference neither discloses nor suggests. Applicants thus respectfully request that the Examiner reconsider and withdraw the rejection based upon 35 U.S.C. § 103(a).

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In view of the above, Applicants submit that the application is now in condition for allowance, and an early indication of same is requested. The Examiner is invited to contact the undersigned with any questions

Respectfully submitted,



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